

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
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In the Matter of)
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Amendment of the Commission's)
Rules to Establish New Personal)
Communications Services)
)

GEN Docket No. 90-314

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**COMMENTS OF SPECTRALINK CORPORATION
ON UTAM INC. PLAN FOR FINANCING AND MANAGING
2 GHz MICROWAVE RELOCATION**

SpectraLink Corporation ("SpectraLink"), by its undersigned counsel, hereby submits these comments on UTAM, Inc.'s Plan for Financing and Managing 2 GHz Microwave Relocation (the "Plan").^{1/} SpectraLink commends UTAM's effort to establish an equitable framework for relocating incumbent 2 GHz microwave users to the upper bands and managing the early deployment of unlicensed personal communications services ("U-PCS") devices in the 2 GHz band. SpectraLink believes that the Plan is promising and will ultimately expedite the orderly deployment of U-PCS to the public. Nevertheless, SpectraLink is concerned that the Plan lacks sufficient detail to address the manifold financial and administrative issues raised by UTAM's mandate to clear the 2 GHz band and manage the early deployment of U-PCS devices. Accordingly, SpectraLink urges the Commission to accept the Plan as a "work in progress" that must be supplemented and re-submitted before UTAM receives the Commission's final approval. Specifically, SpectraLink urges the Commission to require UTAM to supplement the Plan with

^{1/} See *UTAM Plan for Financing and Managing 2 GHz Microwave Relocation*, GEN Docket 90-314 (filed August 1, 1994); Public Notice, DA 94-873 (released August 11, 1994).

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respect to the specific policies and procedures that will govern early deployment. While SpectraLink generally endorses the Zone 1 concept as a mechanism to facilitate early deployment, SpectraLink believes that adoption of such a concept is premature at this juncture. Accordingly, SpectraLink urges the Commission to defer the adoption of a Zone 1 concept until the procedural details of early deployment are established.

I. INTRODUCTION AND BACKGROUND

SpectraLink was founded in 1989 to meet the existing market demand for a communications product that could provide wireless telephone communications as an adjunct to the business community's existing PBX and Centrex telephone systems. From its inception, SpectraLink has invested substantial amounts of human and financial resources designing, manufacturing, and marketing the SpectraLink Pocket Communications System, which is an indoor micro-cellular telephone system designed to function as an extension to an individual's desk phone. Because SpectraLink's product conforms with the FCC's Part 15 Rules for unlicensed use, it meets the business community's market demand for uncomplicated, reasonably priced, reliable, high-quality wireless telephony today. SpectraLink is in the process of developing a similar wireless telephone product for the recently allocated isochronous (voice) segment of the U-PCS band. Consequently, SpectraLink has a direct interest in the process established for accessing the U-PCS band.

SpectraLink is an active member of numerous wireless telephony industry associations including UTAM, TIA, and the WINForum. SpectraLink has been an Associate member of UTAM since 1993. Although SpectraLink is not on UTAM's Board of Trustees, and does not have any voting privileges, it has actively participated in the discussions regarding early

deployment and other technical issues addressed in the Plan. Thus, while SpectraLink generally endorses the framework of the Plan, it fervently believes that the issues discussed below must be addressed in a detailed fashion prior to the Commission's final appointment of UTAM to ensure equitable access to the U-PCS band and orderly early deployment of U-PCS.

II. THE PLAN LACKS SUFFICIENT DETAIL TO ENSURE EQUITABLE AND ORDERLY EARLY DEPLOYMENT OF U-PCS

SpectraLink concurs with UTAM that limited deployment of U-PCS devices prior to full band clearing is possible and will advance the Commission's goal of expediting the delivery of U-PCS benefits to the public, provided that they do not cause interference to microwave incumbents and are properly coordinated.^{2/} Although the Plan identifies these critical issues, it does not provide specific procedures or establish concrete policies for ensuring non-interference and proper coordination in the context of early deployment. As a manufacturer of U-PCS devices, SpectraLink is concerned about the lack of specific procedures in the Plan to address the:

- coordination and subsequent deployment of U-PCS devices;
- prevention of interference to microwave incumbents;
- collection and administration of U-PCS clearing fees;
- auditing of manufacturers to ensure compliance with clearing fee payments;
- equipment certification process to ensure UTAM compliance; and
- dispute resolution.

^{2/} See UTAM Plan at 55.

In SpectraLink's view, the Plan must establish policies with respect to the precise procedures for addressing each of these issues.

All of these issues are critical to UTAM's success in managing early deployment. Until these basic issues are addressed with specific detail, SpectraLink cannot unconditionally endorse the advanced concepts embodied in the Zone 1 approach to early deployment. Moreover, SpectraLink believes that until these issues are addressed with specificity in the Plan, UTAM cannot implement the Zone 1 plan for early deployment. As an active member of UTAM, SpectraLink understands that these issues are currently being addressed by UTAM. Nevertheless, until they are resolved, SpectraLink submits that the Plan is incomplete and should not be accepted until a detailed supplement addressing the above issues is submitted to the Commission.

III. THE COMMISSION SHOULD IDENTIFY AN ALTERNATIVE ENTITY TO BE RESPONSIBLE FOR FREQUENCY COORDINATION SHOULD UTAM CEASE OPERATION

The Plan identifies four major categories of expenses that UTAM must finance to complete its task. These expenses include: (1) band clearing expenses incurred for relocating microwave links out of the U-PCS band; (2) frequency coordination expenses resulting from the early deployment of coordinatable devices, (3) general administrative expenses associated with UTAM's relocation and coordination activities; and (4) interest credits for advance payments from members providing funds with which UTAM can begin its operations.³⁷ UTAM proposes to finance these expenses primarily from the collection of fees from its members, advance payments of clearing fees by some large manufacturers to fund UTAM's initial operations, and

³⁷ *Id.* at 27.

clearing fees from manufacturers participating in the early deployment of coordinatable U-PCS devices.^{4/} According to UTAM's projections on market penetration for U-PCS devices, the necessary revenues will be available to cover the projected costs.

While SpectraLink is hopeful that UTAM's projections are accurate, SpectraLink is concerned that UTAM's projections on market penetration are optimistic in their failure to consider alternatives that could adversely impact the demand for U-PCS. For example, significant progress on data transmission at 2400-2483 MHz (e.g. IEEE 802.11) could limit or at least defer the demand for data applications in the 1910-1920 MHz band. Voice services (in-building, unlicensed) are currently offered by manufacturers either at the traditional cellular frequencies (824-894 MHz) or at the lower "ISM" band (902-928 MHz). If products at these frequency assignments lead the market penetration ahead of U-PCS devices, then the actual demand for U-PCS may fall short of UTAM's forecast, resulting in a revenue shortfall that will, at a minimum, hamper UTAM's frequency coordination and band clearing operations.

As a small manufacturer, SpectraLink is concerned that this possible turn of events represents substantial risk to manufacturers, leaving them unable to coordinate and deploy their U-PCS equipment after expending substantial financial and research and development resources.

Although larger companies could be expected to perform UTAM's frequency coordination role, smaller companies, without appropriate internal resources, would be left at a tremendous disadvantage. Therefore, SpectraLink urges the Commission to be prepared to identify another entity or procedure for conducting frequency coordination and band clearing in the event UTAM ceases operation.

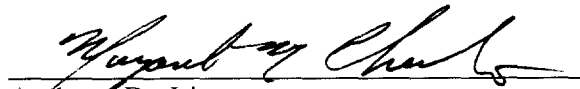
^{4/} *Id.* at 28-35.

IV. CONCLUSION

For the foregoing reasons, SpectraLink urges the Commission to examine closely UTAM's Plan and defer acceptance of the Plan until it is supplemented with sufficient detail to ensure UTAM's viability and equitable access to the U-PCS band by small and large companies alike.

Respectfully submitted,

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